

1 District Judge Tiffany M. Cartwright  
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UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

9 SERGII N. MILISHCHUK,

10 Plaintiff,

11 v.

12 MERRICK GARLAND, *et al.*,

13 Defendants.

Case No. 3:24-cv-05613-TMC

STIPULATED MOTION TO DISMISS  
AND ORDER

Noted for Consideration:  
October 1, 2024

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15 Pursuant to Federal Rule of Civil Procedure 41(a), the parties stipulate to the dismissal of  
16 this case without prejudice, with each party to bear their own costs. Pro Se Plaintiff brought this  
17 litigation pursuant to the Administrative Procedure Act and Mandamus Act seeking, *inter alia*, to  
18 compel U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate his Form I-589,  
19 Application for Asylum and for Withholding of Removal. USCIS has adjudicated the Form I-  
20 589 and this case is now moot.

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STIPULATED MOTION TO DISMISS  
[Case No. 3:24-cv-05613-TMC] - 1

UNITED STATES ATTORNEY  
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(253) 428-3800

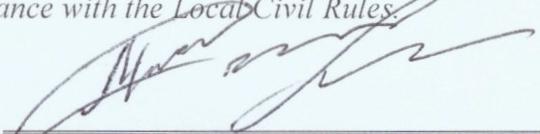
1 Dated: October 1, 2024

Respectfully submitted,

2 TESSA M. GORMAN  
United States Attorney

3  
4 *s/Michelle R. Lambert*  
MICHELLE R. LAMBERT, NYS #4666657  
Assistant United States Attorney  
5 United States Attorney's Office  
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8 Attorneys for Defendants

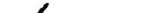
9  
I certify that this memorandum contains 81 words, in  
10 compliance with the Local Civil Rules.

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12   
13 SERGII N. MILISCHUK  
1625 24<sup>th</sup> Street PL SE  
Puyallup, Washington 98372  
Phone: 617-938-9472  
Email: [f1transportationinc@gmail.com](mailto:f1transportationinc@gmail.com)  
14 Pro Se Plaintiff

## ORDER

It is so **ORDERED**. The case is dismissed without prejudice.

DATED this 2nd day of October, 2024.

  
\_\_\_\_\_  
TIFFANY M. CARTWRIGHT  
United States District Judge

**STIPULATED MOTION TO DISMISS**  
[Case No. 3:24-cv-05613-TMC] - 3

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